Civil Misc. Writ Petition No. 868(M/B) of 2001

A.K.Sarkar ..... Petitioner

Vs.

Union of India and others ..... Respondents

.....

Hon.P.C. Verma,J.
Hon.M.C.Jain,J.

This writ petition has been filed by the petitioner seeking a writ of mandamus commanding the respondents not to evict the petitioner from the house except in accordance with law.

The petitioner has filed this petition against the Union of India, Divisional Railway Manager, Superintendent of Police, Dehradun, Station House Officer, P.S. Mussoorie, District Dehradun and Smt. Sheela Devi w/o Sri Khushi Ram r/o Rock Stone, New Building, Mussoorie, District Dehradun. The petitioner could not satisfy us that the property belongs to Railways and there is allotment order in favour of the petitioner by the Railway Authorities. Therefore, the petition is maintainable. In view of this, no mandamus can be issued to the respondent nos. 1 to 5. So far as the dispute between the petitioner and the respondent no. 6 is concerned, it is totally a private dispute and not public law remedy is available to him.

The petition is dismissed accordingly.

(P.C. Verma,J.)(M.C. Jain, J.)

Dt. 16.10.2001
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